

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL KING, *pro se*,

Plaintiff,

v

MEIJER, INC.,

Defendant.

Case No. 05-70883

HONORABLE ARTHUR J. TARNOW
UNITED STATES DISTRICT JUDGE

DONALD A. SCHEER
MAGISTRATE JUDGE

**ORDER DENYING PLAINTIFF'S MOTION
FOR RECONSIDERATION [50]**

This matter comes before the Court on the Plaintiff's Motion for Reconsideration [50], filed on July 9, 2008. Review is pursuant to Local Rule 7.1, section (g)(1) of which requires that such motions be filed within ten days of the entry of the Court's judgment or order. In this case, the parties' Stipulation of Dismissal With Prejudice [49] was entered on September 25, 2007, rendering Plaintiff's current Motion untimely. Furthermore, Local Rule 7.1(g)(3) states that the Court generally will not grant a motion for rehearing unless the movant both "demonstrate[s] a palpable defect by which the court and the parties have been misled," and "show[s] that correcting the defect will result in a different disposition of the case." Here, Plaintiff does not assert that the Court and parties have been misled, and thus there is no apparent substantive ground upon which this Motion could be granted, even had it been timely filed.

Plaintiff appears to complain of events that have occurred since the parties filed their Stipulation of Dismissal. If Plaintiff seeks to allege Defendant's non-compliance with the terms of the parties' settlement agreement, his remedy would be through a Motion to Enforce the Judgment, not the Motion for Reconsideration that is presently before the Court.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Reconsideration is DENIED.

SO ORDERED.

S/ARTHUR J. TARNOW

Arthur J. Tarnow
United States District Judge

Dated: October 3, 2008

I hereby certify that a copy of the foregoing document was served upon counsel of record on October 3, 2008, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR

Case Manager